

Senate Bill on First Reading

By unanimous consent, the following bill was introduced, read first time, and referred to the committee indicated:

By Senator Moffett:

S. B. No. 140, A bill to be entitled "An Act amending Subsection 50, Article 199, Title 8, Revised Civil Statutes of Texas, 1925, as amended by S. B. No. 85, Chapter 14, Acts of the Regular Session of the Forty-first Legislature, changing the time and term of holding the 50th Judicial District Court of Baylor, Knox, King, and Cottle Counties, constituting the 50th Judicial District of Texas; validating and continuing all processes issued or served before this Act takes effect, including recognizances and bonds and making them returnable to the next term of court in said counties and districts as herein fixed; validating the summoning of grand and petit juries under this Act; and declaring an emergency."

To Committee on Civil Jurisprudence.

Recess

On motion of Senator Martin, the Senate, at 3:17 o'clock p. m., took recess to 10:00 o'clock a. m. tomorrow.

FOURTEENTH DAY**Continued**

(Thursday, February 4, 1943)

The Senate met at 10 o'clock a. m., and was called to order by Senator Winfield.

On motion of Senator Weinert, the Senate agreed to stand at ease subject to the call of the Presiding Officer.

The Presiding Officer called the Senate to order at 10:05 o'clock a. m.

Message from the Governor

The following message from the Governor was received, was read to the Senate, and referred to the Committee on Nominations of the Governor:

February 4, 1943.

To the Senate of the Forty-eighth Legislature:

I ask the advice, consent and con-

firmation of the Senate with respect to the following appointments:

To be Commissioner to the National Conference of Commissioners on Uniform State Laws to fill the unexpired term of the Honorable Harry P. Lawther, deceased, term to expire July 7, 1945:

Honorable O. D. Brundidge of Dallas, Dallas County.

To be Captain, Infantry, and assigned as aide-de-camp on the Governor's Staff:

Dale Newell Morrison of San Antonio, Bexar County.

To be Member State Highway Commission, for a six year term expiring February 15, 1949:

Fred E. Knetsch of Seguin, Guadalupe County.

Respectfully submitted,

COKE R. STEVENSON,
Governor of Texas.

Reports of Standing Committees

Senator Winfield, by unanimous consent, submitted at this time the following reports:

Committee Room,
Austin, Texas,
February 3, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Banking to whom was referred S. B. No. 17, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WINFIELD, Chairman.

Committee Room,
Austin, Texas,
February 3, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Banking to whom was referred S. B. No. 16, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WINFIELD, Chairman.

Committee Room,
Austin, Texas,
February 3, 1943.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Bank-
ing to whom was referred S. B. No.
15, have had same under considera-
tion, and I am instructed to report
it back to the Senate with the rec-
ommendation that it do pass and be
printed.

WINFIELD, Chairman.

Committee Room,
Austin, Texas,
February 3, 1943.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Bank-
ing to whom was referred S. B. No.
14, have had same under considera-
tion, and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass and be
printed.

WINFIELD, Chairman.

Committee Room,
Austin, Texas,
February 3, 1943.

Hon. John Lee Smith, President of
the Senate.

Sir: We, your Committee on Bank-
ing to whom was referred S. B. No.
13, have had same under considera-
tion, and I am instructed to report it
back to the Senate with the recom-
mendation that it do pass and be
printed.

WINFIELD, Chairman.

Senate Bills on First Reading

By unanimous consent, the follow-
ing bills were introduced, read first
time, and referred to the committees
indicated:

By Senator York:

S. B. No. 141, A bill to be entitled
"An Act to amend Section 5 of H.
B. No. 79, Chapter 10, Acts of the
Forty-first Legislature, First Called
Session, providing a change in the
powers and duties of the State Board
of Education regarding the letting of
contracts for text books and setting
a maximum amount per scholastic to
be spent for text books providing that

the Text Book Committee shall make
recommendations and that all con-
tracts of purchase of text books shall
be approved by the State Board of
Control; and declaring an emer-
gency."

To Committee on Education.

By Senator Hazlewood:

S. B. No. 142, A bill to be entitled
"An Act to amend Subdivision 100 of
Article 199, Title 8, of the Revised
Statutes of Texas, 1925, so as to
change the time and terms of holding
the terms of District Court in four
counties, constituting the 100th Judi-
cial District of Texas; validating and
continuing all processes issued or
served before this Act takes effect,
including recognizances and bonds,
and making them returnable to the
next term of court in said counties
and district, as herein fixed; to vali-
date the summoning of grand and
petit juries under this Act; and de-
claring an emergency."

To Committee on Civil Jurispru-
dence.

Senate Joint Resolution on First Reading

The following joint resolution was
introduced, read first time, and re-
ferred to the Committee on Consti-
tutional Amendments:

By Senator Fain:

S. J. R. No. 4, Proposing an amend-
ment to Section 11, Article IV of the
Constitution; giving the Governor of
the State the power to grant re-
prieves, commutations of punishment
and pardons; requiring him to file
his reasons therefor with the Secre-
tary of State; providing for the nec-
essary publication and election; mak-
ing an appropriation to pay for same.

Resolution Signed

The Presiding Officer signed, in the
presence of the Senate, after giving
due notice thereof, the following en-
rolled resolution:

S. C. R. No. 10, Inviting Hon.
James A. Farley to address a joint
session of the Legislature.

(Senator Aikin in the Chair.)

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 4, 1943.

Hon. John Lee Smith, President of
the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 85, A bill to be entitled "An Act providing for a closed season or a period of time when it shall be unlawful to take bullfrogs from any portion of Fayette County, Texas; etc.; and declaring an emergency."

H. B. No. 92, A bill to be entitled "An Act to prohibit the taking of squirrels in Fayette County, Texas, during certain months of each year, providing for an exception when squirrels are found to be damaging crops, providing a penalty for violation of said Act; and declaring an emergency."

H. B. No. 119, A bill to be entitled "An Act amending H. B. No. 184, Chapter 96, First Called Session of the Forty-third Legislature setting out certain regulations regarding the killing of squirrels in Jasper, Newton, Young and Jack Counties; and declaring an emergency."

H. B. No. 129, A bill to be entitled "An Act providing that it shall be unlawful to buy or sell any fish caught in the rivers, lakes or waters of Stephens County; etc.; and declaring an emergency."

H. B. No. 133, A bill to be entitled "An Act to amend Section 1 of H. B. No. 1081, as passed by the Forty-seventh Legislature, Regular Session, so that Section 1 will hereafter read as follows; and declaring an emergency."

H. B. No. 179, A bill to be entitled "An Act appropriating and transferring, for the current fiscal year, to the Special Fund in the Treasury, known as the 'Blind Assistance Fund,' for the purpose of administering assistance to the blind as authorized by law, the sum of Seventy Thousand (\$70,000.00) Dollars from the Clearance Fund established by H. B. No. 8, Regular Session, Acts Forty-seventh Legislature, in addition to the Four Hundred Thousand (\$400,000.00) Dollars authorized to

be transferred from such Clearance Fund by S. B. No. 490, Regular Session, Acts of Forty-seventh Legislature and providing that each fiscal year following the current fiscal year, there shall be transferred to the 'Blind Assistance Fund' from said Clearance Fund the sum of Seven Hundred Thousand (\$700,000.00) Dollars said amount to be provided on the basis of equal monthly installments; and declaring an emergency."

H. B. No. 181, A bill to be entitled "An Act to make it unlawful to take or kill wild quail of any species, for a period of five (5) years in Andrews County, Texas; fixing penalty; etc.; and declaring an emergency."

H. B. No. 190, A bill to be entitled "An Act providing for the setting of nets for the purpose of catching suckers, buffalo, carp, shad and gar in waters of Fayette County during certain months; etc.; and declaring an emergency."

H. B. No. 194, A bill to be entitled "An Act authorizing any Independent School District containing all or more than one-half in area of a city of over one hundred thousand (100,000) population, to issue refunding bonds to provide funds to pay and cancel outstanding tax anticipation notes or certificates of indebtedness as herein defined and subject to limitations herein prescribed, and to levy a tax sufficient to pay such bonds and the interest thereon; etc.; and declaring an emergency."

H. B. No. 241, A bill to be entitled "An Act amending Section 1 and Section 3 of S. B. No. 88, Chapter 205, Acts of the Regular Session of the Forty-seventh Legislature so as to provide for the payment to authorized agents for the issuance of fishing licenses issued to those who fish in the waters of Lake Worth and Eagle Mountain Lake; amending S. B. No. 88; etc.; and declaring an emergency."

H. C. R. No. 21, Inviting Hon. Hatton W. Sumners to address a joint session of the Texas Legislature.

H. C. R. No. 22, Extending cordial greetings and expressions of friendship to the Honorable Fernando Carbajal, President of Rotary International, who is visiting within the boundaries of Texas.

H. C. R. No. 23, Providing for a joint session of the House of Repre-

sentatives and the Senate at 11:30 a. m., on February 4, 1943, for the purpose of hearing the Honorable James A. Farley.

S. B. No. 65, A bill to be entitled "An Act to appropriate from any funds of the State not heretofore appropriated the sum of Twelve Thousand (\$12,000) Dollars to pay the salary or salaries of any Special Commissioner or Commissioners of any of the Courts of Civil Appeals heretofore appointed, and who have qualified as such under Article 1813 of the Revised Statutes as amended by the Acts of 1936, Third Called Session, and Acts of 1937, and Acts of 1941, as who have served and are serving as such, and for whose salaries no appropriation has heretofore been made; etc.; and declaring an emergency." (With amendments)

S. B. No. 68, A bill to be entitled "An Act to amend Subdivision 27 of Article 199, Title 8, of the Revised Statutes of Texas, 1925, so as to change the time and terms of holding the 27th District Court in Bell, Lampasas and Mills Counties, constituting the Twenty-seventh Judicial District of Texas; etc.; and declaring an emergency."

Respectfully submitted,

CLARENCE JONES,

Chief Clerk, House of Representatives.

House Concurrent Resolution 21

The Presiding Officer laid before the Senate, and instructed the Secretary to read:

H. C. R. No. 21, Inviting Hon. Hatton W. Sumners to address a joint session of the Legislature.

The resolution was read and was unanimously adopted.

House Concurrent Resolution 23

On motion of Senator Metcalfe, and by unanimous consent, the Senate agreed to consider at this time:

H. C. R. No. 23, Providing for a joint session of the two Houses at 11:30 o'clock a. m. today to hear an address by Hon. James A. Farley.

The resolution was read and was adopted.

The Presiding Officer announced the appointment of the following committee to escort Hon. James A.

Farley to the joint session and to the Speaker's rostrum:

Senators Metcalfe, Fain, Morris, Moffett, Brownlee, Chadick, and Beck.

House Bills on First Reading

The following House bills, received from the House today, were laid before the Senate, read first time, and referred to the committees indicated:

H. B. No. 190, to Committee on Game and Fish.

H. B. No. 85, to Committee on Game and Fish.

H. B. No. 179, to Committee on Finance.

H. B. No. 133, to Committee on Game and Fish.

H. B. No. 129, to Committee on Game and Fish.

H. B. No. 119, to Committee on Game and Fish.

H. B. No. 92, to Committee on Game and Fish.

H. B. No. 194, to Committee on Education.

H. B. No. 181, to Committee on Game and Fish.

H. B. No. 241, to Committee on Game and Fish.

House Concurrent Resolution 22

The Presiding Officer, at the request of Senator Brownlee, laid before the Senate, and instructed the Secretary to read the following resolution:

H. C. R. No. 22, Extending greetings to Hon. Fernando Carbajal.

Whereas, The Honorable Fernando Carbajal, President of Rotary International, is visiting within the boundaries of Texas; and

Whereas, He is a distinguished citizen of our sister American Republic, Peru, and, in addition, an eminent citizen of the entire Western World; and

Whereas, He is rendering outstanding service in bringing about a better understanding among all of the Nations of the Western Hemisphere and is contributing largely to laying the foundation for a lasting amity between all of the Nations; and

Whereas, The State of Texas is greatly honored and deeply gratified

to have him as a guest within her borders; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That cordial greetings and sincere expressions of friendship be extended to Mr. Carbajal, and through him as a distinguished citizen, to his native country, Peru, and to all other countries into which his travels shall take him; and be it further

Resolved, That these greetings be extended to Mr. Carbajal during his visit to the City of San Antonio.

The resolution was read and was unanimously adopted.

Senate Bills on First Reading

By unanimous consent, the following bills were introduced, read first time, and referred to the committees indicated:

By Senator Lane:

S. B. No. 143, A bill to be entitled "An Act to amend Title 14 of the Revised Civil Statutes of Texas, 1925, by adding Article 307A so as to provide that law licenses shall be issued to the graduates of certain law schools who are citizens of Texas in the military service of the United States and whose military service commenced before the date set for the State Bar Examinations next following their graduation from said law schools; setting a time for application for such licenses; defining military service; providing that if any portion of this Act shall be held invalid or unconstitutional the other portions shall remain in effect; repealing all laws in conflict herewith; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senators Lanning, Moore, and Lovelady:

S. B. No. 144, A bill to be entitled "An Act providing for placing certain special funds in the General Revenue Fund of the State of Texas and especially transferring a portion of the surplus from the Operator's and Chauffeur's License Fund to the General Revenue Fund of the State of Texas; and declaring an emergency."

To Committee on Finance.

Report of Standing Committee

Senator Metcalfe, by unanimous consent, submitted at this time the following amendment to the report:

Austin, Texas,
February 4, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising to whom was referred S. B. No. 136, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

METCALFE, Chairman.

(Senator Winfield in the Chair.)

Adjournment at Conclusion of Joint Session

Senator Shivers moved that at the conclusion of the joint session to be held in the Hall of the House today at 11:30 o'clock a. m., the Senate stand adjourned until 10:00 o'clock a. m. Monday, February 8, 1943.

The motion prevailed.

Joint Session

At 11:30 o'clock a. m., the Presiding Officer announced the arrival of the hour for a joint session pursuant to S. C. R. No. 10 and H. J. R. No. 23 and requested the Senate to repair to the Hall of the House of Representatives.

The Senate was announced at the Hall of the House and was duly admitted.

The Presiding Officer of the Senate (Senator Winfield in the Chair), on invitation of the Speaker, occupied a seat at the Speaker's desk.

Hon. James A. Farley and his party, accompanied by Governor Coke R. Stevenson and Lieutenant Governor John Lee Smith, were announced at the bar of the House and were escorted to the Speaker's rostrum by Senators Metcalfe, Fain, Morris, Moffett, Brownlee, Chadick, and Beck, on the part of the Senate, and by Representatives Isaacks, Harris, Geraughty, Dunn, Moore of Harris, and Goodman of Midland, on the part of the House.

The presence of a quorum of each House was duly ascertained and announced by the Presiding Officer of

the Senate and the Speaker of the House.

The Speaker presented Senator Metcalfe, who extended to Mr. Farley the greetings of the Legislature.

The Speaker presented Governor Stevenson, who introduced Hon. James A. Farley to the joint session.

Mr. Farley then addressed the joint session.

Adjournment

At the conclusion of the address and the joint session, the Presiding Officer of the Senate, in pursuance of a motion of the Senate previously adopted, declared the Senate adjourned until 10:00 o'clock a. m. Monday, February 8, 1943.

FIFTEENTH DAY

(Monday, February 8, 1943)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called, and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Bullock	Moffett
Chadick	Moore
Cotten	Morris
Fain	Ramsey
Graves	Shivers
Hazlewood	Stone
Jones	Sulak
Lane	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

A quorum was announced present. Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 4, 1943, was dispensed with and the Journal was approved.

Leave of Absence Granted

Senator Kelley was granted leave of absence for today and indefinitely on account of important business, on motion of Senator Stone.

Reports of Standing Committees

Senator Weinert submitted the following reports:

Austin, Texas,
February 4, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 109, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but that Senate committee substitute bill attached hereto do pass in lieu thereof and be printed.

WEINERT, Chairman.

Majority Report

Austin, Texas,
February 4, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 85, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass. Notice of minority report was given.

WEINERT, Chairman.

Austin, Texas,
February 4, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 137, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
February 4, 1943.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence to whom was referred S. B. No. 140, have had same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.